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# HOUSE BILL No. 1425

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 36-1-8-10.5.

**Synopsis:** Officeholder qualifications. Prohibits a county, city, or town employee from being a candidate for or serving on the legislative or fiscal body of the county, city, or town that employs the employee. Allows a county, city, or town employee serving on a fiscal or legislative body on July 1, 2009, to serve the remainder of the member's term.

**Effective:** July 1, 2009.

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### Saunders

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January 13, 2009, read first time and referred to Committee on Government and Regulatory Reform.

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Introduced

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

## HOUSE BILL No. 1425

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 36-1-8-10.5, AS AMENDED BY P.L.1-2005,  
2       SECTION 231, IS AMENDED TO READ AS FOLLOWS  
3       [EFFECTIVE JULY 1, 2009]: Sec. 10.5. (a) This section does not  
4       apply to the following:

5               (1) An elected or appointed officer.

6               (2) An individual described in IC 20-26-4-11.

7               (b) **Except as provided in subsection (c)**, an employee of a  
8       political subdivision may:

9               (1) be a candidate for any elected office and serve in that office if  
10              elected; or

11              (2) be appointed to any office and serve in that office if appointed;  
12       without having to resign as an employee of the political subdivision.

13              (c) **An employee of a county, city, or town may not be a**  
14       **candidate for membership on or serve as a member of the**  
15       **legislative or fiscal body of the county, city, or town that employs**  
16       **the employee unless the employee resigns as an employee of the**  
17       **county, city, or town.**



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1 (d) Notwithstanding subsection (c), a person who, on July 1,  
2 2009, is:

3 (1) an employee of a county, city, or town; and

4 (2) a member of the fiscal or legislative body of the county,  
5 city, or town that employs the person;

6 is entitled to serve as a member of the fiscal or legislative body  
7 through the remainder of the member's term without having to  
8 resign as an employee of the county, city, or town. This subsection  
9 expires July 1, 2013.

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